



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PATENT
Attorney Docket No.: 085760-000000US
Client Reference No.: AR001US

On October 13, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: Aaron Hekman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MITSUHARA et al.

Application No.: 08/805,813

Filed: February 26, 1997

For: PATHOGEN-RESISTANT
PLANTS AND METHOD FOR
PRODUCTION THEREOF

Group Director: 1638

Examiner: Kubelik, Anne R.

Art Unit: 1638

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The reference cited on attached form PTO/SB/08A and PTO/SB/08B is being called to the attention of the Examiner. A copy of the reference is enclosed.

It is respectfully requested that the cited reference be expressly considered during the prosecution of this application, and the reference be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

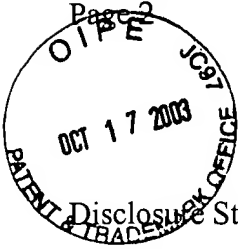
This IDS is being filed on or before payment of the issue fee.

10/22/2003 JBALINAH 00000002 201430 08805813

01 FC:1806

180.00 DA

RECEIVED
NOV 12 2003
TECH CENTER 1600/2900



CERTIFICATION

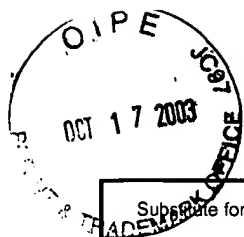
I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Matthew E. Hinsch
Reg. No. 47,651

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
MEH:ath
60059726 v1



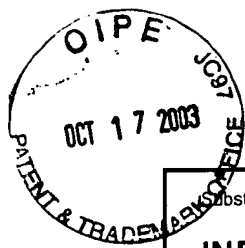
| | | | |
|---|------|--------------------------|-------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | Complete if Known | |
| | | Application Number | 08/805,813 |
| | | Filing Date | February 26, 1997 |
| | | First Named Inventor | Mitsuhara, Ichiro |
| | | Art Unit | 1638 |
| | | Examiner Name | Kubelik, Anne R. |
| Sheet 1 | of 2 | Attorney Docket Number | 085760-000000US |

| U.S. PATENT DOCUMENTS+ | | | | | |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number Kind Code ² (if known) | | | |
| | | | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|--------------------------|---------------------------|---------------------|-----------------------------------|--------------------------------|---|--|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | | | | | | | | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.
60059726 v1



| | | | | | |
|---|---|----|---|--------------------------|-------------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 08/805,813 |
| | | | | Filing Date | February 26, 1997 |
| | | | | First Named Inventor | Mitsuvara, Ichiro |
| | | | | Art Unit | 1638 |
| | | | | Examiner Name | Kubelik, Anne R. |
| Sheet | 2 | of | 2 | Attorney Docket Number | 085760-000000US |

| NON PATENT LITERATURE DOCUMENTS | | | |
|--|--------------------------|---|----------------|
| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | AA | Iijima <i>et al.</i> , "Purification, characterization, and cDNA cloning of an antifungal protein from the hemolymph of <i>Sarcophaga peregrina</i> (flesh fly) larva," <i>The Journal of Biological Chemistry</i> 268(16):12055-12061 (1993) | |
| | | | |

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

² Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.